26. Khomaram Bhima
27. Thotapalli Barrage
28. Tarakarma Thirtha Sagaram Project
29. Swarnamukhi Med Irrigation Project
30. Palemvagu
31. 61 Minor Irrigation Schemes

Water disputes between States

286. SHRI T.T.V. DHINAKARAN: Will the Minister of WATER RESOURCES be pleased to state:

(a) the details of awards given by various Tribunals for settlement of water disputes between States;

(b) the details of awards not implemented by the States; and

(c) the action taken to ensure that awards given by Tribunals are implemented?

THE MINISTER OF STATE IN THE MINISTRY OF WATER RESOURCES (SHRI JAY PRAKASH NARAYAN YADAV): (a) Details of award given by various Tribunals set up under the provisions of Inter-State River Water Disputes (ISRWD) Act, 1956 are given in the Statement (*See* below).

(b) Government of Andhra Pradesh in May 2005 made complaint to the Central Government that construction of Babhali Barrage by Government of Maharashtra within the submergence area of Sri Ram Sagar Reservoir is in violation of GWDT award.

Govt. of Tamil Nadu also made complaint to Central Government regarding the non-implementation of certain aspects of interim order of Cauvery Water Disputes Tribunal such as monthly and weekly quantum of inflows into Mettur Reservoir in Tamil Nadu and area irrigated from Cauvery water in Karnataka.

(c) As per Inter-State River Water Disputes Act, 1956, the dicision of a Tribunal constituted under the Act after publication in the official Gazette is final and binding on parties to the dispute and is required to be given effect by them. It was amended in year 2002 whereby the decision after publication in official Gazette now has the same force as an order or decree of the Supreme Court.

Statement

Details of Awards Given by Various Tribunals

(i) Krishna Water Dispute Tribunal (KWDT)

KWDT was constituted in April, 1969 and it gave its final award in May, 1976. The Krishna Water Disputes Tribunal has allocated the 75% dependable yield of 2060 TMC estimated for the basin at Vijayawada between the co-basin States as below:

Andhra Pradesh	:	800 TMC (22648 MCM)
Maharashtra	:	560 TMC (15854 MCM)
Karnataka	:	700 TMC (19817 MCM)

In addition, on full development of irrigation by 1998-99, the estimated return flow of 70 TMC has been allocated as below:

Andhra Pradesh	:	11 TMC (311.4 MCM)
Maharashtra	:	25 TMC (707.7 MCM)
Karnataka	:	34 TMC (962.5 MCM)

As per the inter-state agreement dated 14.4.1976 between Maharashtra, Karnataka, Andhra Pradesh and Tamil Nadu, 5 TMC (141.55 MCM) each from the above share would be given to Tamil Nadu for Madras Water Supply.

(ii) Narmada Water Disputes Tribunal (NWDT)

NWDT was constituted in April, 1969 and gave its final award in July 1979. Narmada Water Disputes Tribunal has allocated the estimated 75% average annual dependable yield of 28 MAF (34527.7 MCM) among the co-basin States as below:

Madhya Pradesh	:	18.25 MAF (22504.6 MCM)
Gujarat	:	9 MAF (11098.2 MCM)
Rajasthan	:	0.5 MAF (616.6 MCM)
Maharashtra	:	0.25 MAF (308.3 MCM)

(iii) Godavari Water Disputes Tribunal (GWDT)

GWDT was constituted in April 1969. It gave its final award in July, 1980. Godavari Water Disputes Tribunal has not given any quantitative allocation among the co-basin States. GWDT Award is in fact a bunch of agreements between various co-basin States. Through these agreements, various sub-tributaries/tributaries of Godavari or stems of these tributaries have been allotted to the States for water utilization.

(iv) Cauvery Water Disputes Tribunal (CWDT)

CWDT was constituted in June, 1990. It gave interim award in June, 1991 which was published in official Gazette on 10.12.1991. Tribunal has also submitted its report and decision under section 5(2) of ISRWD Act, 1956 on 05.02.07. It has estimated the 50% dependable yield of Cauvery as 740 TMC at lower coleroon anicut and has apportioned it between party States as given below:

Tamil Nadu	:	419 TMC
Karnataka	:	270 TMC
Kerala	:	30 TMC
UT of Pondicherry	:	7 TMC
Environmental Protection	:	10 TMC
Inevitable escapages to sea	:	4 TMC

Party States & Central Government have sought explanation/guidance under section 5(3) of ISRWD Act, 1956 from the Tribunal. Party States have also filed separate SLPs in the Supreme Court against the above said report of the tribunal. In view of this interim award is binding on the part States at present.

(v) Ravi & Beas Water Tribunal (RBWT)

RBWT was constituted in April, 1986. Tribunal submitted its report in January, 1987. The Central Government and Party States have sought explanation/guidance under section 5(3) of the Act. The tribunal has not submitted its further report to the Government.

Water-logged area in Sindhu region

287. SHRI BALAVANT *ALIAS* BAL APTE:
SHRI SHREEGOPAL VYAS:

Will the Minister of WATER RESOURCES be pleased to state:

(a) whether it is a fact that information regarding three lac square Km. water-logged area in Sindhu region was known before the Indus Water Treaty-1960;

(b) whether it is also a fact that India got only 9 to 10 per cent of this area;

(c) whether there is no provision of review in the Treaty;

(d) whether a demand for review can be made to safeguard our national interests under Article 4 of the Helsinki Rules; and

(e) if so, the details of the policy made thereof?

THE MINISTER OF STATE IN THE MINISTRY OF WATER RESOURCES (SHRI JAY PRAKASH NARAYAN YADAV): (a) and (b) Available references indicate that water-logging in Sindhu region was known before the Indus Water Treaty 1960. However, they do not provide any unique area of water-logging in Sindhu region and the area that India got. The report of the Irrigation Commission - 1972 states that about 10.9 lac hectares of area was affected in the Punjab State as estimated in the year 1958. Further, as per the book *"The Indus Basin-History of Irrigation, Drainage and Flood Management" by C.D. Thatte and Others,* the survey in 1943 indicated that roughly an area of 0.2 million ha. was affected by *thur* (alkali and saline soils) and *sem* (waterlogged) whereas the aerial reconnaissance survey got conducted by Government of Pakistan in 1954 indicated that an area of more than 4.45 million ha. in West Pakistan was poorly drained and water-logged.

(c) Relevant provisions of the Treaty (Article XII Final Provisions) which provide for its review are given below:—

"(3) The provisions of this Treaty may from time to time be modified by a duly ratified treat concluded for that purpose between the two Governments.

(4) The provisions of this Treaty, or the provisions of this Treaty as modified under the provisions of Paragraph (3), shall continue in force until terminated by a duly ratified treaty concluded for that purpose between the two Governments".

(d) The Helsinki Rules governing use of International Watercourses 1966 are guidelines adopted by the International Law Association (ILA), a private body of lawyers are not binding upon States.

(e) Does not arise.